

Program A: Environmental Compliance

PROGRAM DESCRIPTION

The mission of the Environmental Compliance Program is to ensure the public occupational safety and welfare of the people and environmental resources of Louisiana by conducting inspections of permitted facilities and activities and responding to chemical emergencies. The goals of the Environmental Compliance Program are to operate in an open, fair, and consistent manner; to strive for and assist in attaining environmental compliance in the regulated community; to protect environmental resources and the public health and safety of the citizens of the State of Louisiana. The activities of this program: Air, Water, Nuclear, and Hazardous.

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2000-2001. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

The objectives and performance indicators that appear below are associated with program funding in the Base Executive Budget for FY 2000-01. Specific information on program funding is presented in the financial sections that follow performance tables.

1. (Key) To ensure protection of public health by inspecting facilities relative to air emissions, solid waste, water, hazardous waste and underground storage tanks, tire dealers, radiation licensed facilities, and priority projects related to asbestos and lead-based paint hazards.

Strategic Link: OEC, Objective 1: The Surveillance Division will annually inspect 95% of facilities targeted for inspection by OEC and approved by the EPA and by the Nuclear Regulatory Commission (NRC) through the development and use of multi-media teams to achieve and/or maintain environmental integrity.

Explanatory Note: Inspections are conducted on a total of 4,726 air quality facilities, 70 TSD (treatment, storage, and/or disposal) hazardous waste facilities, 372 solid waste facilities, 252 major water facilities, 2,246 tire dealer facilities, 18,000 registered underground storage tank sites, 4,300 minor water facilities, 450 radiation licenses, 3,500 x-ray registrations, 160 mammography facilities, and 30 U.S. Food and Drug Administration compliance inspections. Facilities are selected for inspections, based upon targeting and prioritization strategies for each media, to ensure compliance with federal and state regulations and to ensure protection of public health and the environment.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Percent of air quality facilities inspected	Not applicable ¹	25%	Not applicable ¹	25%	25%	25%
K	Percent of TSD hazardous waste facilities inspected	Not applicable ¹	100%	Not applicable ¹	95%	95%	95%
K	Percent of solid waste facilities inspected	Not applicable ¹	90%	Not applicable ¹	90%	95%	95%
K	Percent of major water facilities inspected	Not applicable ¹	90%	90%	90%	95%	95%
K	Percent of minor water facilities inspected	Not applicable ¹	33%	30%	33%	33%	33%
K	Percent of tire dealer facilities inspected	Not applicable ¹	Not available ²	Not applicable ¹	30%	30%	30%
K	Percent of registered underground storage tank sites inspected ³	Not applicable ¹	20%	20%	20%	15% ⁴	15%
K	Percent of radiation licenses inspected	Not applicable ¹	50%	Not applicable ¹	50%	50%	50%
K	Percent of x-ray registrations inspected	Not applicable ¹	20%	Not applicable ¹	20%	20%	20%
K	Percent of mammography facilities inspected	Not applicable ¹	100%	Not applicable ¹	100%	95%	95%
K	Percent of FDA compliance inspections conducted	Not applicable ¹	100%	Not applicable ¹	95%	95%	95%
K	Percent of top-rated asbestos projects inspected	Not applicable ¹	90%	90%	90%	90%	90%
K	Percent of top-rated lead projects inspected	Not applicable ¹	100%	90%	100%	90%	90%

¹ This is a new indicator that did not appear in the Act for this fiscal year.

² This is a new indicator for which data is not available.

³ As of 12/22/1999, all underground storage tanks were required to be upgraded.

⁴ Reduction is due to a lack of trained field staff. DEQ is in the process of cross-training staff from other media but it will take time to bring them to a level of competency where they can conduct these inspections. EPA will provide some in-state training this year and next year so that over time DEQ may be able to increase the inspection level to 20%.

2. (Key) To address 95% of reported environmental incidents and citizen complaints within 5 days of receipt of notification.

Strategic Link: OEC, Objective 3: The Surveillance Division will address all reported environmental incidents in a timely manner with 95% being addressed within five days of receipt of notification.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Percentage of environmental incidents and citizen complaints addressed within 5 days of notification	Not applicable ¹	100%	Not applicable ¹	95%	95%	95%

¹ This is a new indicator that did not appear in the Act for this fiscal year.

Note: For trend information see the following table labeled "General Performance Information: Number of Environmental Incidents and Citizen Complaints"

GENERAL PERFORMANCE INFORMATION: NUMBER OF ENVIRONMENTAL INCIDENTS AND CITIZEN COMPLAINTS					
PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL CY 1995	PRIOR YEAR ACTUAL CY 1996	PRIOR YEAR ACTUAL CY 1997	PRIOR YEAR ACTUAL CY 1998	PRIOR YEAR ACTUAL CY 1999
Number of spill notifications	3,879	2,324	2,840	4,970	6,541
Number of citizen complaints	857	752	944	1,412	2,508

3. (Key) To maintain the capability to respond effectively to potential nuclear power plant emergencies and coordinate off-site activities of other state and local agencies as indicated by meeting 100% of the Federal Emergency Management Agency's planning objectives.

Strategic Link: OEC, Objective 4: The Surveillance Division will demonstrate successful accomplishment of 95% of the applicable objectives of the Federal Emergency Management Agency's (FEMA) 33 exercise objectives and assure the completion of the 6-year cycle objective requirement by all off-site agencies through exercises.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Percentage of emergency planning objectives successfully demonstrated	100%	100%	100%	100%	100%	100%

4. (Key) To issue 90% of the appropriate enforcement actions within the prescribed time periods called for by appropriate state and/or federal guidelines.

Strategic Link: OEC, Objective 5: The Enforcement Division will issue 90% of the appropriate enforcement actions within the prescribed time periods called for by the appropriate guidelines.

Explanatory Note: Prescribed time periods are as follows: Air - 270 days; Water - 150 days; Hazardous Waste - 180 days; and Radiation, Solid Waste & UST - 70 days.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Percent of enforcement actions addressed within the prescribed timelines	Not applicable ¹	Not available ²	Not applicable ¹	Not available ²	90%	90%

¹ This is a new indicator that did not appear in the Act for this fiscal year.

² This is a new indicator for which data is not available.

Note: For trend information see the following table labeled "General Performance Information: Number of Media Specific Enforcement Actions"

GENERAL PERFORMANCE INFORMATION: NUMBER OF MEDIA SPECIFIC ENFORCEMENT ACTIONS					
PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1994-95	PRIOR YEAR ACTUAL FY 1995-96	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99
Number of air quality enforcement actions issued	188	223	171	201	316
Number of solid waste enforcement actions issued	344	187	369	391	391
Number of hazardous waste enforcement actions issued	143	139	94	95	143
Number of water quality enforcement actions issued	229	276	364	475	256
Number of radiation enforcement actions issued	635	690	631	203 ¹	234

¹ New procedures were instituted to address failure to pay fees for x-ray registrations in 1998; hence, there was a drop in the number of enforcement actions required.

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 1998-1999	ACT 10 1999- 2000	EXISTING 1999- 2000	CONTINUATION 2000 - 2001	RECOMMENDED 2000 - 2001	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$0	\$317,748	\$317,748	\$331,392	\$312,628	(\$5,120)
STATE GENERAL FUND BY:						
Interagency Transfers	0	0	0	0	0	0
Fees & Self-gen. Revenues	35,251	0	0	0	0	0
Statutory Dedications	10,569,172	16,155,356	16,239,922	14,849,748	14,650,819	(1,589,103)
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	3,121,601	2,658,082	2,658,082	2,795,000	2,495,000	(163,082)
TOTAL MEANS OF FINANCING	\$13,726,024	\$19,131,186	\$19,215,752	\$17,976,140	\$17,458,447	(\$1,757,305)
EXPENDITURES & REQUEST:						
Salaries	\$8,646,708	\$9,686,473	\$9,686,473	\$10,298,660	\$10,278,830	\$592,357
Other Compensation	53,704	70,500	70,500	70,500	70,500	0
Related Benefits	1,466,719	1,824,733	1,824,733	1,869,462	1,939,673	114,940
Total Operating Expenses	1,944,971	3,962,302	3,962,302	3,502,945	3,100,034	(862,268)
Professional Services	145,693	345,800	345,800	345,500	52,000	(293,800)
Total Other Charges	682,012	1,913,718	1,913,718	1,199,423	793,385	(1,120,333)
Total Acq. & Major Repairs	786,217	1,327,660	1,412,226	689,650	1,224,025	(188,201)
TOTAL EXPENDITURES AND REQUEST	\$13,726,024	\$19,131,186	\$19,215,752	\$17,976,140	\$17,458,447	(\$1,757,305)
AUTHORIZED FULL-TIME						
EQUIVALENTS: Classified	282	302	302	302	302	0
Unclassified	1	1	1	1	1	0
TOTAL	283	303	303	303	303	0

SOURCE OF FUNDING

This Environmental Compliance program is funded with General Fund, Statutory Dedications and Federal Funds. Statutory Dedications are derived from the Environmental Trust Fund (ETF) and the Waste Tire Management fund. (Per R.S. 39:32B. (8), see table below for a listing of expenditures out of each statutory dedicated fund.) The ETF consists of all fees assessed pursuant to the authority granted in R.S. 30:2014, R.S. 39:55.2 and any other provisions of law authorizing the department to assess a fee. Such fees are used only for the purposes for which they were assessed. The Waste Tire Management fund consist of all fees assessed pursuant to the authority granted in R.S. 30:2418, R.S. 39:55.2 and any other provisions of law authorizing the department to assess fees. These fees are utilized only for the purposes for which they are assessed. Federal Funds consist of grants issued by the U. S. Environmental Protection Agency (EPA) for contractual and operational costs associated with: Air Pollution Grant; Resource Conservation Recovery Act of 1976; Non-point Source Implementation; Lead Based Paint Program; and US Dept. of Energy: Transuranic Waste Shipment.

	ACTUAL	ACT 10	EXISTING	CONTINUATION	RECOMMENDED	RECOMMENDED
	1998-1999	1999- 2000	1999- 2000	2000 - 2001	2000 - 2001	OVER/(UNDER) EXISTING
Environmental Trust Fund	\$10,522,812	\$15,955,356	\$16,039,922	\$14,649,748	\$14,500,819	(\$1,539,103)
Waste Tire Management Fund	\$0	\$200,000	\$200,000	\$200,000	\$150,000	(\$50,000)

ANALYSIS OF RECOMMENDATION

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$317,748	\$19,131,186	303	ACT 10 FISCAL YEAR 1999-2000
			BA-7 TRANSACTIONS:
\$0	\$84,566	0	Carryforward BA-7 for the purchase of four 3/4 ton heavy duty pick-up trucks
\$317,748	\$19,215,752	303	EXISTING OPERATING BUDGET – December 3, 1999
\$0	\$122,013	0	Annualization of FY 1999-2000 Classified State Employees Merit Increase
\$0	\$198,720	0	Classified State Employees Merit Increases for FY 2000-2001
\$0	(\$14,994)	0	Risk Management Adjustment
\$0	\$1,224,025	0	Acquisitions & Major Repairs
\$0	(\$1,412,226)	0	Non-Recurring Acquisitions & Major Repairs
\$0	(\$1,278)	0	Maintenance of State-Owned Buildings
(\$5,120)	(\$481,892)	0	Attrition Adjustment
\$0	(\$444,363)	0	Salary Funding from Other Line Items
\$0	(\$4,590)	0	Civil Service Fees
\$0	\$818,075	0	Other Adjustments - Funding provided for training series, reallocations and incumbent adjustments
\$0	(\$714,595)	0	Other Adjustments - Reduction in other charges and professional services based on decline in Environmental Trust Fund revenues for FY 00-01
\$0	(\$42,026)	(1)	Other Technical Adjustments - Transfer one (1) environmental radiation specialist position to the Office of Management and Finance in order for the department to complete their reorganization
\$0	\$20,510	1	Other Technical Adjustment - Transfer one (1) position (word processor) from the Office of Environmental Assessment in order for the department to complete their reorganization
\$0	(\$1,024,684)	0	Other Technical Adjustments - Reduction in other charges, professional services, interagency transfers, travel, operating services and supplies due to realigning these expenditures in order to reflect in the proper office
\$0	\$0	0	Net Means Of Financing Substitutions - Replace Statutory Dedications with Federal Funds in order to correct the budget for the Water Pollution Control Grant, the Air Pollution Control Grant, and the Resource Conservation Recovery Act (RCRA) Grant
\$312,628	\$17,458,447	303	TOTAL RECOMMENDED

\$0	\$0	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$312,628	\$17,458,447	303	BASE EXECUTIVE BUDGET FISCAL YEAR 2000-2001
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$312,628	\$17,458,447	303	GRAND TOTAL RECOMMENDED

The total means of financing for this program is recommended at 91.0% of the existing operating budget. It represents 99.9% of the total request (\$17,466,997) for this program. The decrease of 9% is due to reductions in other charges, professional services, interagency transfers, travel and supplies due to realigning these expenditures in order to reflect the correct spending patterns in the proper office. This program does not have any positions which have been vacant for 1 year or more.

PROFESSIONAL SERVICES

\$12,000	Enforcement Action Delivery - Acquiring outside assistance to deliver subpoenas for administrative/judicial hearings
\$25,000	Technical Training Assistance - Training inspectors in proper safety procedures as part of agency readiness for incident response
\$15,000	Visible Emission Workshop - Required by EPA twice a year to maintain certification for field staff and indorse personnel
\$52,000	TOTAL PROFESSIONAL SERVICES

OTHER CHARGES

\$25,000	Central Low Level Radioactive Waste Compact - Annual fees assessed to the State of Louisiana for the establishment of a joint multi-state disposal facility for Low Level Radioactive Waste
\$100,000	Transuranic Waste Shipment - To train emergency personnel at the and local levels and to prepare procedures to successfully deal with any radiological emergencies
\$100,000	Environmental Emergency Cleanup - Funds for small spills and clean ups where owner/operators cannot be identified
\$70,000	Mercury - For Air monitoring equipment and sampling of 15 statewide sites
\$50,000	Mercury - For DHH Mercury studies in humans
\$30,000	Mercury - For DHH public awareness of mercury contamination in the environment
\$50,000	Mercury - For research into mercury sources within state and possible cleanup methods
\$200,000	Mercury Investigation and Sediment Investigation - To analyze tissue, soil and water samples collected for mercury contaminate investigations
\$25,000	GW: EPA Grant #C9-006702-90-0; Nonpoint Source Sec 319 (H) - The nonpoint source program consists of statewide educational programs and watershed projects directed at reducing and controlling sources of water pollution

\$30,000 Global Positioning System (GPS) - EPA grant funds to conduct survey to establish standardized points of reference for regulated facilities

\$680,000 SUB-TOTAL OTHER CHARGES

Interagency Transfers:

\$29,017 Department of Civil Service - Reimbursement for services

\$2,712 CPTP - Training Costs

\$45,023 Division of Administration - Rental - Shreveport Office

\$36,633 Department of Public Safety - Hazardous Waste and Emergency Response

\$113,385 SUB-TOTAL INTERAGENCY TRANSFERS

\$793,385 TOTAL OTHER CHARGES

ACQUISITIONS AND MAJOR REPAIRS

\$1,224,025 Replacement of 13 vehicles, boats, office equipment, other monitoring equipment, major repairs etc.

\$1,224,025 TOTAL ACQUISITIONS AND MAJOR REPAIRS